THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.25594 of 2005

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Dated:15.12.2005

Between:

Ch.Venkateswara Rao S/o.Venkataramaiah
Chigurukota Village, Krishna District.

..... PETITIONER

AND

District Collector (Panchayat Division) at Machilipatnam, Krishna

District, and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.25594 of 2005

ORDER:

The petitioner is the Sarpanch of Chigurukota Gram Panchayat, Chigurukota Village, Krishna District. By impugned order dated 20.10.2005, the second respondent purporting to exercise powers under the second proviso to Rule 42(1) of the Rules issued in G.O.Ms.No.30, dated 20.01.1995, suspended the cheque drawing powers of the petitioner, and the petitioner was directed to show cause as to why such power should not be suspended under Rule 42(1) of the Rules.

Heard the learned Counsel for the petitioner and the learned Assistant Government Pleader for Panchayat Raj. As pointed out by the learned Assistant Government Pleader, against any order passed by the District Panchayat Officer under Rule 42(1) of the Rules or under the second proviso to Rule 42(1) of the Rules, an appeal would lie to the District Collector under Rule 42(2) of the Rules. It would be open to the petitioner to avail the remedy of appeal within a period of one week from the date of receipt of a copy of this order. As and when such appeal is filed, the first respondent may entertain the appeal and pass appropriate orders within a period of

two weeks thereafter. It shall also be open to the petitioner to submit explanation to the impugned notice, if not already submitted.

The Writ Petition, with the above observations, is disposed of. No costs.

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(V.V.S.RAO, J)

15.12.2005

vs